Form 42-248/42-1409(6) Rev. 1/15

RECEIVED
OCT 13 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

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.

split #s Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-23262 37-19736	Yes ☒	Yes ☐	37-23258 37-2784A	Yes ☒	Yes ☐
37-23260 37-7693	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-23264 37-20902	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-23266 37-21348	Yes ☒	Yes ☐		Yes ☐	Yes ☐
37-23268 37-21349	Yes ☒	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Quigley Green Owner LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Blaine County School District No. 61
New owner(s) as listed on the conveyance document — Name connector ☐ and ☐ or ☐ and/or

118 W Bullion St — Mailing address
Hailey — City
ID — State
83333 — ZIP
208-578-5000 — 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: October 11, 2018.

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.

   SUPPORT DATA
   IN FILE # 37-2784A

   ☐ 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: Gwen Carol Holmes — Signature of new owner/claimant
Superintendent — Title, if applicable
9/3/20 — Date

Signature: _____ Signature of new owner/claimant
Title, if applicable
Date

For IDWR Office Use Only:
Receipted by SC Date 10/13/20 Receipt No. 5038201 Receipt Amt. $600.00
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 _____ Processed by JB Date 1-4-2021

Electronically recorded — Do not remove the county stamped first page as it is now incorporated as part of the original document.

Instrument # 656330
HAILEY, BLAINE, IDAHO
11-05-2018 12:36:16 PM No. of Pages: 2
Recorded for: BLAINE COUNTY TITLE
JOLYNN DRAGE Fee: $15.00
Ex-Officio Recorder Deputy: JB
Electronically Recorded by Simplifile

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

(Space Above This Line For Recorder's Use)

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, **TERRA VIRIDI IV, LLC a Delaware limited liability company**

GRANTOR does hereby GRANT, BARGAIN, SELL and CONVEY unto

BLAINE COUNTY SCHOOL DISTRICT NO. 61

GRANTEE whose address is 118 W. Bullion St., Hailey, ID 83333

The following described real property in Blaine County, Idaho, to wit:

> **Block 1 of the Quigley Farm Large Block Plat, City of Hailey, Idaho recorded as Instrument No. 653825, records of Blaine County, Idaho.**

Subject To: taxes, easements established or of record, restrictions and encumbrances of record (with the exception that said Block 1 shall be exempt from all provisions of the Declaration of Covenants, Conditions and Restrictions for Quigley Farm recorded in the records of Blaine County, Idaho, except those related to Architectural Control and any approval required by said Declaration of any improvement proposed on Block 1 shall not be unreasonably withheld), rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit; and

With the express restriction that the use of said Block 1 shall be limited to playing fields with associated improvements reasonably associated with and subordinate to such playing fields, including, but not limited to, restroom facilities.

TO HAVE AND TO HOLD, the said premises, and their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever.

And the said Grantor does hereby warrant to Grantee that that the Grantor is the owner in fee simple of said premises, that Grantor has not created any lien, charge or encumbrance against said real estate which is not shown herein, and Grantor covenants that it will defend said premises to the extent of the warranties made therein against lawful claims.

Dated: October 11, 2018

TERRA VIRIDI IV, LLC

By: Joelle Kellam
Name: **Joelle Kellam**
Title: **Authorized Signatory**

Electronically [illegible] not remove the co[illegible] first page as it is now incorporated as part of the original document.

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

(Space Above This Line For Recorder's Use)

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With the express restriction that the use of said Block 1 shall be limited to playing fields with associated improvements reasonably associated with and subordinate to such playing fields, including, but not limited to, restroom facilities.

TO HAVE AND TO HOLD, the said premises, and their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever.

And the said Grantor does hereby warrant to Grantee that that the Grantor is the owner in fee simple of said premises, that Grantor has not created any lien, charge or encumbrance against said real estate which is not shown herein, and Grantor covenants that it will defend said premises to the extent of the warranties made therein against lawful claims.

Dated: October 11, 2018

TERRA VIRIDI IV, LLC

By: [signature]
Name: **Joelle Kellam**
Title: **Authorized Signatory**

11848-001

STATE OF ILLINOIS)
)
County of COOK) ss:

On this 11TH day of OCTOBER, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared JOELLE KELLAM, known or identified to me to be the AUTHORIZED SIGNATORY of Terra Viridi IV, LLC, the limited liability company that executed the foregoing instrument or the person who executed the foregoing instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

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

(SEAL)

MARGOT S ANDERSON
Official Seal
Notary Public - State of Illinois
My Commission Expires Aug 4, 2020

Margot S. Anderson
Notary Public for Idaho
Residing at 191 N. WACKER DR., CHICAGO, IL.
My Commission Expires: Aug. 4, 2020

Instrument # 654139
HAILEY, BLAINE, IDAHO
08-15-2018 9:24:11 AM No. of Pages: 5
Recorded for: BLAINE COUNTY TITLE
JOLYNN DRAGE Fee: $15.00
Ex-Officio Recorder Deputy: GWB
Electronically Recorded by Simplifile

Recording Requested By and
When Recorded Return to:
Katten Muchin Rosenman LLP
2900 K Street NW, Suite 200
Washington, DC 20007
Attention: Schuyler Armstrong

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GRANT DEED

This Grant Deed is made this 10th day of August, 2018, between QUIGLEY GREEN OWNER LLC, a Delaware limited liability company ("**Grantor**"), and TERRA VIRIDI IV, LLC, a Delaware limited liability company, with an address c/o Origami Capital Partners LLC, 191 North Wacker Drive, Chicago, Illinois 60606, Attention: Jeff Young, ("**Grantee**"), witnesseth:

That Grantor, for and in consideration of the sum [redacted], and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does, by these presents, grant, bargain, sell and convey unto Grantee and its successors and assigns forever, all the following described real estate situated in the County of Blaine, State of Idaho:

SEE SCHEDULE I ATTACHED HERETO AND INCORPORATED HEREIN.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the rents, issues and profits thereof and all estate, right, title and interest in and to the property hereby conveyed, as well in law as in equity, except as expressly provided otherwise herein.

To have and to hold, all and singular the above-described premises together with the appurtenances unto Grantee and its heirs and assigns forever.

Grantor's covenants or warranties with respect to title, express or implied, are subject to any and all easements, restrictions, agreements and encumbrances of record or appearing on the land as of the date of this instrument.

[SIGNATURE PAGE FOLLOWS]

GRANTOR:

QUIGLEY GREEN OWNER LLC,
a Delaware limited liability company

By: _____
Name: Barry P. Marcus
Title: Senior Vice President

STATE OF Connecticut)
: ss. Westport
County of Fairfield)

On the 27 day of July, 2018, before me, the undersigned Notary Public, personally appeared Barry P. Marcus, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

_____
Notary Public

Residing at _____
Commission Expires: _____

KATHERINE GRACE PHILBIN
Notary Public
My Commission Expires Dec. 31, 2019

KATHERINE GRACE PHILBIN NOTARY PUBLIC CONNECTICUT

[Signature Page to Grant Deed – Quigley Canyon Ranch]

134369722

SCHEDULE I to Quigley Deed

Legal Description

Township 3 North, Range 19 East, Boise Meridian, Blaine County, Idaho

Section 31: SE¼NE¼; N½SE¼; NE¼SW¼
Section 32: NW¼; N½NE¼

Township 3 North, Range 18 East, Boise Meridian, Blaine County, Idaho

Section 35: SE¼; SW¼NE¼

Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho

Section 1: Lots 1,2,3 and 4
Section 2: Lots 1 and 2; S½NE¼; W½SE¼; E½SW¼; SW¼SW¼
Section 3: SE¼SE¼ - excepting Quigley Farm Large Block Plat
Section 10: NE¼ - excepting Quigley Farm Large Block Plat
Section 11: N½NW¼; SW¼NW¼; NW¼SW¼ -excepting Quigley Farm Large Block Plat

NOTE: Section 3 and Section 10 also described as Tax Lot 8481; Fraction of the SW¼NW¼; NW¼NW¼ Section 11 and SW¼SW¼ and Fraction of SE¼SW¼ of Section 2 described as Tax Lot 8479; Fraction of the NW¼NW¼ and SW¼NW¼ of Section 11 described as Tax Lot 8480 and Fraction of the SE¼SW¼ Section 2 described as Tax Lot 8371, as shown on the Blaine County Assessor Roll and more particularly described in Exhibit "B"

AND

ALL of QUIGLEY FARM LARGE BLOCK PLAT, as shown on the official plat thereof recorded as Instrument No. 653825, records of Blaine County, Idaho. EXCEPTING therefrom Blocks, 2,3,4,11 and 15 of Quigley Farm Large Block Plat.

Also being described as follows:

8371

An un-surveyed parcel of land situated in the SE1/4SW1/4 of Section 2 Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho, being more particularly described as follows:

COMMENCING at a brass cap which marks the southwest corner of said Section 2; THENCE S 89°58'35" E 2672.55 feet to a brass cap marking the S1/4 corner of said Section 2, said brass cap being the REAL POINT OF BEGINNING;

THENCE N 89°58'35" W along the south boundary of said Section 2, 551.44 feet; THENCE leaving said south boundary N 42°45'25" E 809.88 feet to the east boundary of the SE1/4SW1/4 of said Section 2;
THENCE S 00°09'22" E 594.88 feet to the **REAL POINT OF BEGINNING**, said parcel contains 3.77 acres more or less.

8479

An un-surveyed parcel of land located within a portion of Sections 2 & 11, Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho being more particularly described as follows:

BEGINNING at a brass cap which marks the Southwest corner of said Section 2, said southwest corner being the **REAL POINT OF BEGINNING;**

THENCE N 00°02'40" W a distance of 1314.67 feet to a brass cap marking the northwest corner of the SW1/4SW1/4 of said Section 2;
THENCE N 89°51'41" E a distance of 1335.51 feet to a brass cap marking the northeast corner of the SW1/4SW1/4 of said Section 2;
THENCE N 89°55'03" E a distance of 1334.46 feet to a brass cap marking the northeast corner of the SE1/4SW1/4 of said Section 2;
THENCE S 00°09'22" E along the east boundary of the SE1/4SW1/4 of said Section 2, a distance of 726.06 feet;
THENCE leaving said east boundary S 42°45'25" W a distance of 809.88 feet to the south boundary of the SE1/4SW1/4 of said Section 2;
THENCE N 89°58'35" W a distance of 784.84 feet to the northeast corner of the NW1/4NW1/4 of said Section 11;
THENCE S 00°06'18" E along the east boundary of the NW1/4NW1/4 of said Section 11, a distance of 685.50 feet;
THENCE leaving said east boundary S 53°01'40" W a distance of 1279.65 feet;
THENCE N 28°29'15" W a distance of 661.14 feet to the west boundary of said Section 11;
THENCE N 00°00'39" E a distance of 874.58 feet to the **REAL POINT OF BEGINNING;**

8480

An un-surveyed parcel of land located within the W1/2NW1/4 of Section 11, Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho being more particularly described as follows:

COMMENCING at a brass cap which marks the W1/4 corner of said Section 11;

THENCE N 89°46'40" E 1341.62 feet to a 5/8" rebar which marks the southeast corner of said W1/2NW1/4 of Section 11;
THENCE N 00°06'18" W along the east boundary of said W1/2NW1/4 215.60 feet to the **REAL POINT OF BEGINNING;**

THENCE N 56°30'30" W a distance of 877.57 feet;
THENCE N 32°44'42" W a distance of 347.90 feet;
THENCE N 28°29'15" W a distance of 221.18 feet;
THENCE N 53°01'40" E a distance of 1279.65 feet to the east boundary of said W1/2NW1/4;
THENCE S 00°06'18" E a distance of 1740.89 feet to the **REAL POINT OF BEGINNING;**

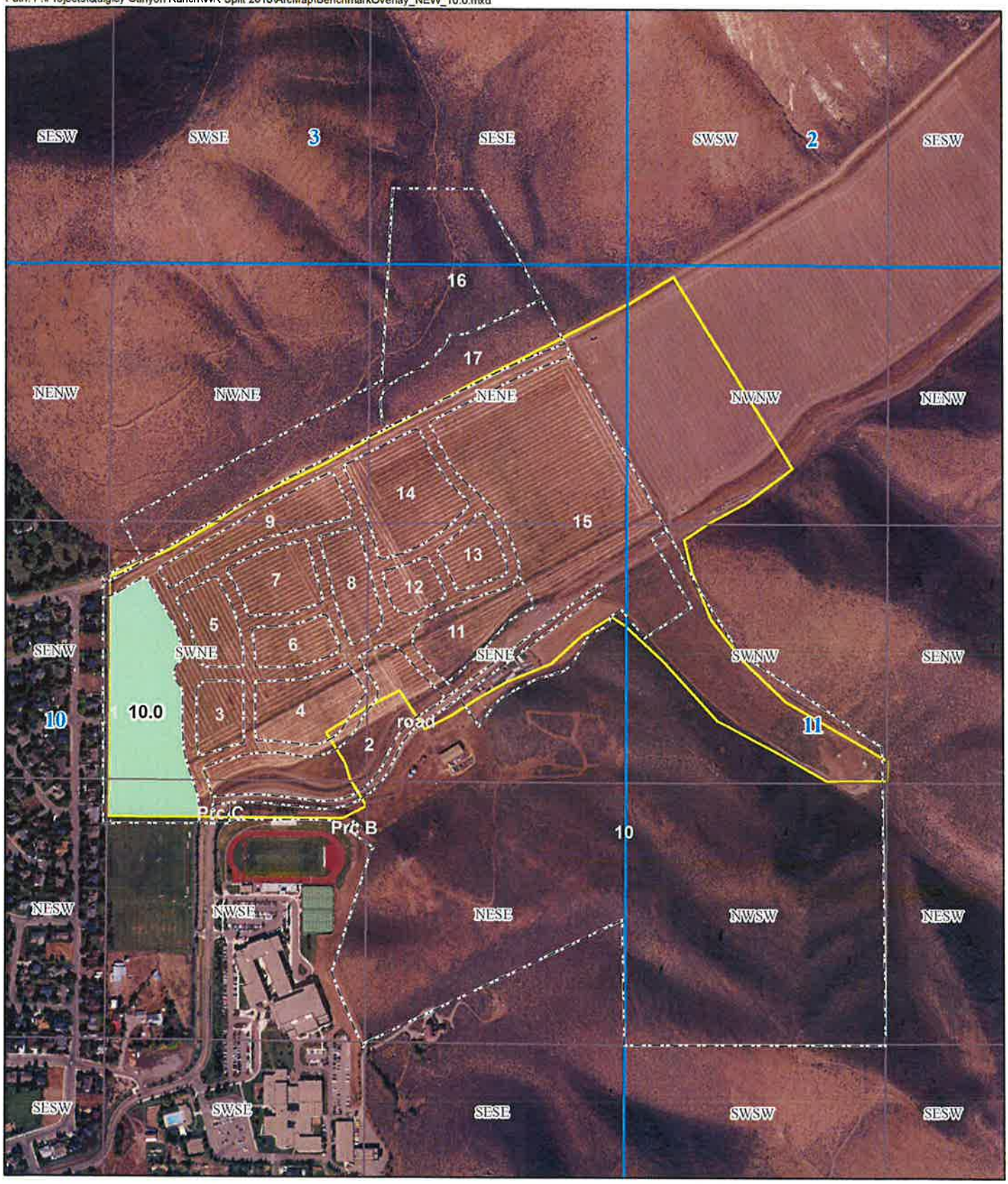
8481

An un-surveyed parcel of land located within a portion of Sections 3 & 10, Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho being more particularly described as follows:

BEGINNING at a brass cap which marks the N1/4 of said Section 10, said point being the **REAL POINT OF BEGINNING;**

THENCE N 89°56'39" E a distance of 1319.19 feet to a brass cap which marks the E1/16 corner common to said Sections 3 and 10;
THENCE N 00°11'57" E a distance of 1317.48 feet to a brass cap which marks the SE1/16 corner of said Section 3;
THENCE S 89°55'09" E a distance of 1314.07 feet to a brass cap which marks the S1/16 corner common to Sections 2 and 3, Township 2 North, Range 18 East, Boise Meridian;
THENCE S 00°02'40" E a distance of 1314.67 feet to a brass cap marking the southeast corner of said Section 3;
THENCE S 00°00'39" W along the east boundary of said Section 10, a distance of 874.58 feet;
THENCE leaving said east boundary, N 28°29'15" W a distance of 1477.73 feet;
THENCE S 90°00'00" W a distance of 451.67 feet;
THENCE S 03°26'15" W a distance of 984.09 feet;
THENCE S 61°17'30" W a distance of 1513.01 feet;
THENCE S 28°41'58" E a distance of 205.65 feet;
THENCE S 61°18'02" W a distance of 220.40 feet;
THENCE N 00°03'29" W a distance of 1568.85 feet to the **REAL POINT OF BEGINNING;**

Path: F:\Projects\Quigley Canyon Ranch\WR Split 2018\ArcMap\BenchmarkOverlay_NEW_10.0.mxd



0 250 500 1,000 Feet

QUIGLEY CANYON RANCH

2018 WATER RIGHT SPLIT

To BCSD

POU

QuigleyBlock

N

BROCKWAY ENGINEERING, PLLC.
GWS - Date: 7/19/2019

NAIP 2017 AERIAL

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 04, 2021

BLAINE COUNTY SCHOOL DISTRICT #61
118 W BULLION ST
HAILEY ID 83333-8425

Re: Change in Water Right Ownership: 37-2784A (Split into 37-2784A and 37-23258), 37-7693 (Split into 37-7693 and 37-23260), 37-19736 (Split into 37-19736 and 37-23262), 37-20902 (Split into 37-20902 and 37-23264), 37-21348 (Split into 37-21348 and 37-23266), and 37-21349 (Split into 37-21349 and 37-23268)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) 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(s) 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.

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) 293-9909.

Sincerely,

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: WD-37; Charles G. Brockway, Brockway Engineering; Quigley Green Owner, LLC

Bitzenburg, James

From: Charles Brockway <charles.g.brockway@brockwayeng.com>
Sent: Wednesday, December 16, 2020 3:11 PM
To: Bitzenburg, James
Subject: RE: Quigley Creek

Jim,

No problem, that all sounds fine.

Chuck

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301
(208) 736-8543
charles.g.brockway@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Bitzenburg, James [mailto:James.Bitzenburg@idwr.idaho.gov]
Sent: Wednesday, December 16, 2020 3:05 PM
To: Charles Brockway <charles.g.brockway@brockwayeng.com>
Subject: Quigley Creek

Chuck-

1. We'll go ahead and use the 10.7 acres on the Blaine County School District ownership change.

2. I reworked the Quigley Farm and Conservation shape and I come up with 40.9 acres. It looks like the difference might be that we are working off of different versions of the Blaine County parcel layer because if you look at the attached map, it shows the shape you sent me (white cross-hatched) overlaying the Blaine County parcel layer (pink) on our system. Your shape is shifted south and slightly west, which would take more of it off of the water right shape. I don't think it's a huge difference, as what doesn't get conveyed this time will go in the future. I will have to use our parcel layer to link the shapes, otherwise it'll really look off-kilter. That would probably also explain the difference in the Blaine County School District acres.

3. Yes, the pond storage on right 37-8283 will be split as you indicated, 10.0 AF to Quigley Farm and Conservation and the 25.0 AF of upper storage to TVIV Quigley. We will also need to add 37-8283 to the Quigley Farm and Conservation ownership change notice and mark it as a split, which I can do on the form you submitted, if you'd like.

If that sounds okay, we can proceed, pending the receipt of the additional $425.00 in fees.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office

Bitzenburg, James

From: Charles Brockway <charles.g.brockway@brockwayeng.com>
Sent: Wednesday, December 16, 2020 11:18 AM
To: Bitzenburg, James
Cc: Skinner, Corey; 'David Hennessy'
Subject: RE: Quigley Creek Ownership Changes
Attachments: Parcel_Acreage.zip; SKM_C300i20121522290.pdf

Jim,

Regarding the water right split issues on Quigley outlined in your letter of October 29, 2020 and further discussed in our phone call of December 1, 2020:

1. 10.7 acres is acceptable for conveyance to Blaine Co. School District.

2. The conveyance to Quigley Farm & Conservation can proceed without the portions on the roadways. These will be conveyed later when Quigley Farm & Conservation makes another purchase of blocks. Our calculation of this amount (the portion of Blocks 2, 3, 4, 11, and 15 of the large-block plat that is also within the water right shape file) is 40.3 acres (see attached shape files).

3. It is understood that the pond storage amount on 37-8283 will be split as follows: 10 ac-ft to Quigley Farm & Conservation on Block 2, and 25 ac-ft remaining with TVIV Quigley, appurtenant to the main reservoir up the valley. No storage conveyance to Blaine Co. Rec Dist. Attached is a revised page 1 of the ownership change form for TVIV which has the "split" box checked for this right.

I will have a check for $425.00 for the additional fees placed in the mail today.

I believe that covers everything we discussed. Please confirm that IDWR can proceed with processing these ownership changes.

Thanks,
Chuck

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington St. North, Suite 4
Twin Falls, ID 83301
(208) 736-8543
charles.g.brockway@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

From: Bitzenburg, James [mailto:James.Bitzenburg@idwr.idaho.gov]
Sent: Tuesday, December 01, 2020 11:00 AM
To: Charles Brockway <charles.g.brockway@brockwayeng.com>
Cc: Skinner, Corey <Corey.Skinner@idwr.idaho.gov>
Subject: Quigley Creek Ownership Changes

Chuck-

I did an intersect on the overlap of the Quigley Creek rights and Block 1 (Blaine County School District) and it came up at 10.7 acres; so we can go with either 10.7 acres, the 11.0 acres that show on our parcel layer, or with the 11.1 acres that Blaine County shows on their Parcel Information Map. This link to the Blaine County plat search feature gives the exact acreage of each lot and maybe some other information you might find useful if you have a magnifying glass: https://maps.co.blaine.id.us/images/Plat_Images_pdf/653825.pdf

We went through the fee breakdown as shown in the October 29, 2020 letter to you, and we feel confident with those figures- a total fee of $1025.00, with $600.00 paid, leaves a balance of $425.00. Let me know if you have questions or concerns and thanks for the time this morning.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-736-3033
james.bitzenburg@idwr.idaho.gov

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls ID 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037
Website: idwr.idaho.gov • Email: southerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 29, 2020

CHARLES G BROCKWAY
BROCKWAY ENGINEERING
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

RE: Changes of Ownership – Quigley Creek and Associated Rights

Dear Mr. Brockway:

Our office is in receipt of a packet of three *Notices of Change in Water Right Ownership* (Notices) which were submitted by Brockway Engineering earlier this month for property located in the Quigley Creek drainage east of Hailey. Fees submitted with the Notices totaled $600.00. We cannot process the Notices at this time, due to a number of issues, including insufficient fees and deeds that conflict with the water right split calculations which were provided with the Notices.

Split #1 intends to change ownership of a portion of rights 37-19736, 37-7693, 37-20902, 37-21348, 37-21349, and 37-2784A. This Notice and its conveyance documents change ownership of the above rights appurtenant to Block 1 of the Quigley Large Farm Block Plat from the current owner of record, Quigley Green Owner, LLC to Blaine County School District No. 61. Because our guidance for processing ownership changes directs that the deed should be used to determine splits, and the deed conveys Block 1 with its appurtenances, 11.0 acres of the water rights' place of use will be conveyed, instead of the 10.0 acres listed on the water right split calculation sheets. This is based on Blaine County Assessor information, and our ArcMap measurements of the parcel, which show the acreage at 11.0 acres.

The purpose of Split #2 is to convey a portion of rights 37-19736, 37-7693, 37-20902, 37-21348, 37-21349, and 37-2784A from the current owner of record, Quigley Green Owner, LLC to Quigley Farm and Conservation Community, LLC. The deed submitted for this change of ownership specifically conveys Blocks 2, 3, 4, 11, and 15 of Quigley Farm Large Block Plat. It should be noted that not the entirety of all of the conveyed Blocks are covered by the above rights, and the areas (proposed roadways) between the parcels are not conveyed in the deed. According to the deed, it appears that only approximately 41.0 acres can be conveyed, instead of the 48.4 acres noted in the water right split calculation sheets. This is based on Blaine County Assessor information, and our ArcMap measurements of the parcels, which show the total acreage at 41.0 acres (summation of portions of irrigation and irrigation from storage appurtenant to Blocks 2, 3, 4, 11, and 15 parcel sizes). Additionally, a portion of water right 37-8283 is appurtenant to at least a portion of Block 2. Right 37-8283 should also be included in the Notice (indicated as a split, since only a portion is associated with this property).

Split #3 conveys the remaining portions of rights 37-19736, 37-7693, 37-20902, 37-21348, 37-21349, and 37-2784A from the current owner of record, Quigley Green Owner, LLC to TVIV Quigley, LLC. In addition, right 37-8283 is included on this form (shown as a non-split, but should be split since only a portion is associated with this property). Because the deeds from Splits 1 and 2 convey the property differently from the water right split calculation sheets, this conveyance covers the acres not specifically deeded in the first two splits, and as such, the acres conveyed in this split are greater than the acres spelled out in the water right split calculation sheets.

The following summarizes how IDWR views the acres that will determine the splits for the three proposed splits:

- Blaine County School District No. 61 – 11 acres
- Quigley Farm and Conservation Community, LLC – 41 acres
- TVIV Quigley, LLC – Remaining portions of rights when 11 acres and 41 acres are subtracted

If differing amounts are desired, then corrected deeds with the desired splits specified would be required.

As indicated previously, $600.00 was filed with all three ownership changes. This is enough to split six water rights and update the ownership on six pieces. The three ownership changes actually propose to split seven water rights (including 37-8283) and update the ownership of 20 pieces of the water rights (six irrigation &/or irrigation storage rights split three ways and right 37-8283 split two ways). The filing fee for the seven ownership change splits and update of seven pieces would be $700.00 and the fee for updating the ownership of 13 other pieces (as part of the same splitting) would be $325.00, for a total of $1,025.00. In order to update the ownership as proposed, an additional $425.00 is required.

If we do not receive the necessary documentation and fees within 30 days, we will return the Notices and all attachments and initiate a refund of the fees. Don't hesitate to contact me if you have any questions.

Sincerely,

Jim Bitzenburg
Senior Water Resource Agent

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

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

RECEIVED
OCT 13 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

October 7, 2020

Idaho Department of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, ID 83301

Re: Change of Ownership – Quigley Creek and Associated Rights

Enclosed please find documents related to an ownership split of irrigation water rights from Quigley Creek and associated groundwater rights east of Hailey. Documents being submitted include the following:

1. Water right split calculations for each right. The calculation begins with the original decreed rights and subtracts the amounts quitclaimed to Blaine County Recreation District on November 9, 2019 (the Department has already processed this ownership change). The remaining amounts are then proportionally split based on the acreage corresponding to the real property deeded to each entity. The full mathematical precision for flow rates and annual volumes was preserved since some of the amounts are small. I assume the Department will list the actual precise numbers in the remarks as it has done in similar cases.

2. Ownership flow chart. This chart is being submitted to clarify the ownership chain from the original owner, Quigley Green Owner LLC.

3. Change of ownership for the following entities:
    a. Blaine County School District. The District is receiving 10.0 acres and the proportional water rights amounts appurtenant to Block 1 of Quigley Farm Large Block Plat. This parcel is situated entirely within the portion of the place of use having overlapping surface water and groundwater.
    b. Quigley Farm and Conservation Community. This entity is receiving 48.4 acres and the proportional water rights amounts appurtenant to Block 2, 3, 4, 11, and 15 of Quigley Farm Large Block Plat. These parcels are situated entirely within the portion of the place of use having overlapping surface water and groundwater.
    c. TVIV Quigley LLC. This entity is receiving the remainder of the right corresponding to 215.1 acres of surface water and 62.0 acres of overlapping groundwater.

The ownership change forms include warranty deeds documenting the ownership chain, and aerial maps depicting the changed area. Also included is a depiction of the Quigley Farm Large Block Plat showing the parcels that were conveyed.

Cordially,

Charles G. Brockway, P.E.

Enc.: Documents and fees $600.00
Cc: Dave Hennessy

Water Right Ownership Flow Chart

Quigley Green Owner LLC

Quigley Farm and Conservation LLC Instrument #653825 dated 8/1/2018 48.4 Acres of Quigley Creek Irrigation 48.4 Acres of Ground Water Irrigation Blocks 2, 3, 4, 11 and 15	signed IDWR split form signed Deed submitted to IDWR	X X X
Terra Viridi IV, LLC Instrument #654139 dated 7/27/2018	signed Deed	X
Blaine County School District No. 61 Instrument #653825 dated 10/11/2018 10.0 Acres of Quigley Creek Irrigation 10.0 Acres of Ground Water Irrigation Block 1	signed IDWR split form signed Deed submitted to IDWR	X X X
Blaine County Recreation District Instrument #656380 dated 10/11/2018 3.0 Acres of Quigley Creek Irrigation 3.0 Acres of Ground Water Irrigation Block 10	signed IDWR split form signed Deed signed WR Quit Claim Deed submitted to IDWR	X X X X
TVIV Quigley, LLC Instrument #657680 dated 10/23/2018 215.1 Acres of Quigley Creek Irrigation 62.0 Acres of Ground Water Irrigation	signed IDWR split form signed Deed submitted to IDWR	X X X

SPLIT #1: 10.0 ACRES TO BLAINE COUNTY SCHOOL DISTRICT NO. 61

	Quigley	GW
Total Acres	273.5	120.4
AFA	957.2	421.4
Acres split	10.0	10.0
Percentage	0.0366	0.0831
AFA/ac	3.50	3.50

Water Right	Use	cfs			AFA				Acre	Acre Limit	Acre Limit
37-19736	Irrigation	0.082							10.0		
37-7693	Irrigation	0.191			32.55				10.0		
	Irrigation Storage			0.200	1.08		35.0			10.0	
	Irrigation from Storage				1.08						
37-2784A	Irrigation Storage				0.57	0.57		35.0	5.5		10.0
	Irrigation from Storage				0.57						
37-20902	Irrigation	0.163	0.163		27.51				9.2		
	Stockwater			0.163			35.0			10.0	
37-21348	Irrigation	0.013			2.91				0.8		
37-21349	Irrigation	0.163			4.58				9.2		

SPLIT #2: 48.4 ACRES TO QUIGLEY FARM AND CONSERVATION, LLC

	Quigley	GW
Total Acres	273.5	120.4
AFA	957.2	421.4
Acres split	48.4	48.4
Percentage	0.1770	0.4020
AFA/ac	3.50	3.50

Water Right	Use	cfs			AFA				Acre	Acre Limit	Acre Limit
37-19736	Irrigation	0.399							48.4		
37-7693	Irrigation	0.923			157.54				48.4		
	Irrigation Storage			0.968	5.25		169.4			48.4	
	Irrigation from Storage				5.25						
37-2784A	Irrigation Storage				2.78	2.78		169.4	26.7		48.4
	Irrigation from Storage				2.78						
37-20902	Irrigation	0.787	0.787		133.14				44.4		
	Stockwater			0.787			169.4			48.4	
37-21348	Irrigation	0.064			14.07				4.0		
37-21349	Irrigation	0.788			22.19				44.4		

Exhibit A
Quigley Water Right Split Calculations

20-Apr-20

Original Decreed Water Rights

	Water Right		cfs			AFA				Acres	Acre Limit	Acre Limit
Quigley Creek	37-19736	Irrigation	2.28							276.5		
Quigley Creek	37-7693	Irrigation	5.27			900				276.5		
		Irrigation Storage			5.53	30		967.7			276.5	
		Irrigation from Storage				30						
Quigley Creek	37-2784A	Irrigation Storage				16	16		967.7	154		276.5
		Irrigation from Storage				16						
Ground Water	37-20902	Irrigation	2.01	2.01		340.2				113.4		
		Stockwater	0.12		2.01			431.9			123.4	
Ground Water	37-21348	Irrigation	0.16			35				10.0		
Ground Water	37-21349	Irrigation	2.01			56.7				113.4		

Conveyed to BCRD via Quitclaim Deed November 19, 2019

	Water Right		cfs			AFA				Acres	Acre Limit	Acre Limit
Quigley Creek	37-19736	Irrigation	0.025							3.0		
Quigley Creek	37-7693	Irrigation	0.057			9.76				3.0		
		Irrigation Storage			0.060	0.33		10.5			3.0	
		Irrigation from Storage				0.33						
Quigley Creek	37-2784A	Irrigation Storage				0.31	0.31		10.5	3.0		3.0
		Irrigation from Storage				0.31						
Ground Water	37-20902	Irrigation	0.053	0.053		9.00				3.0		
		Stockwater			0.053			10.5			3.0	
Ground Water	37-21348	Irrigation										
Ground Water	37-21349	Irrigation	0.049			1.50				3.0		

Remainder to be split to BCSD (10.0 ac), Quigley Farm & Cons (48.4 ac), and TVIV Quigley (215.1 ac)

	Water Right		cfs			AFA				Acres	Acre Limit	Acre Limit
Quigley Creek	37-19736	Irrigation	2.255							273.5		
Quigley Creek	37-7693	Irrigation	5.213			890.24				273.5		
		Irrigation Storage			5.470	29.67		957.2			273.5	
		Irrigation from Storage				29.67						
Quigley Creek	37-2784A	Irrigation Storage				15.69	15.69		957.2	151.0		273.5
		Irrigation from Storage				15.69						
Ground Water	37-20902	Irrigation	1.957	1.957		331.20				110.4		
		Stockwater	0.120		1.957			421.4			120.4	
Ground Water	37-21348	Irrigation	0.160			35.00				10.0		
Ground Water	37-21349	Irrigation	1.961			55.20				110.4		

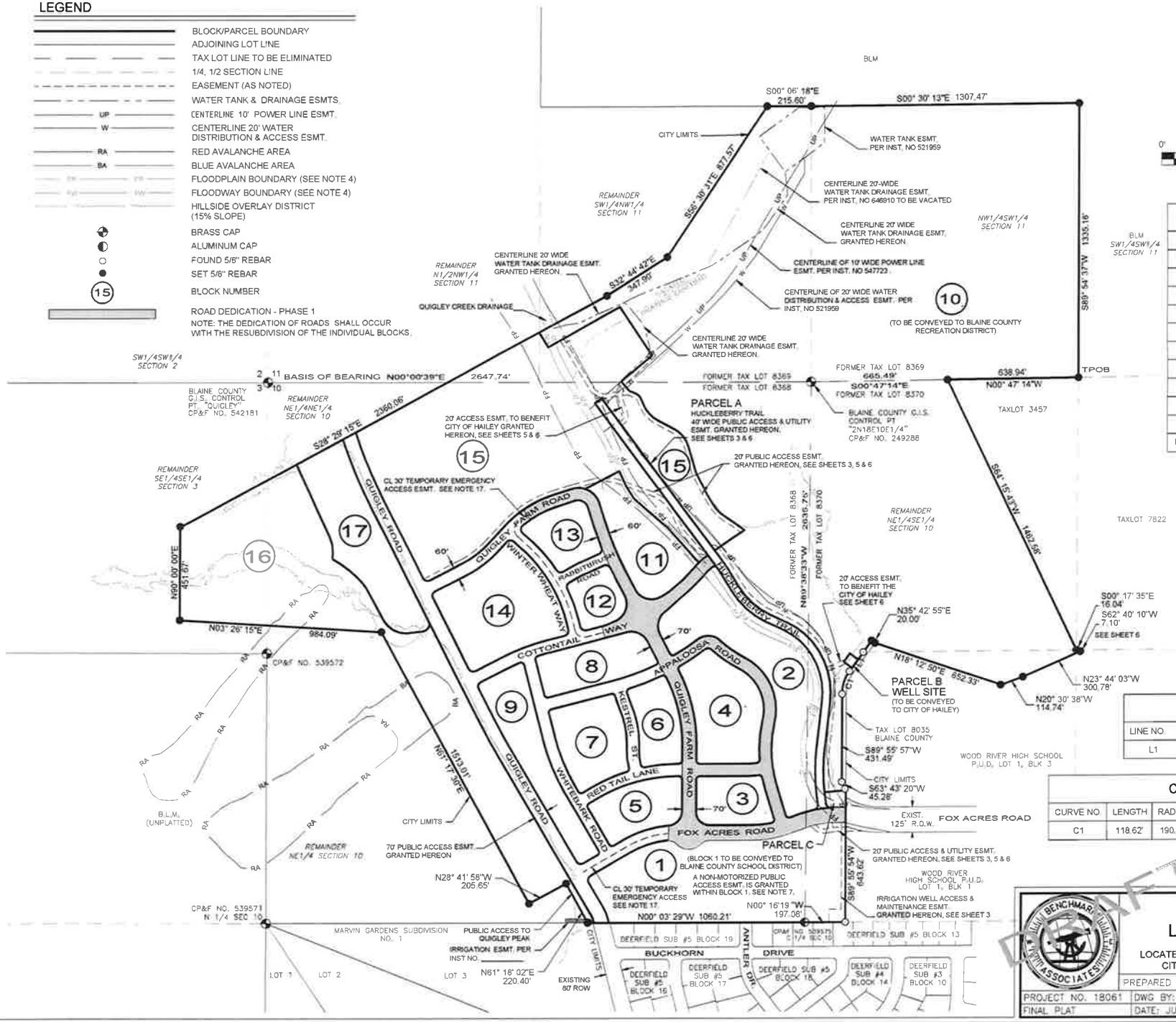
SPLIT #3 (REMAINDER): 215.1 ACRES TO TVIV QUIGLEY, LLC

Water Right	Use	cfs			AFA				Acre	Acre Limit	Acre Limit
37-19736	Irrigation	1.77							215.1		
37-7693	Irrigation	4.10			700.15				215.1		
	Irrigation Storage			4.30	23.33		752.8			215.1	
	Irrigation from Storage				23.33						
37-2784A	Irrigation Storage				12.34	12.34		752.8	118.8		215.1
	Irrigation from Storage				12.34						
37-20902	Irrigation	1.01	1.01		170.55				56.9		
	Stockwater	0.120		1.01			217.0			62.0	
37-21348	Irrigation	0.08			18.02				5.1		
37-21349	Irrigation	1.01			28.43				56.9		

LEGEND

- BLOCK/PARCEL BOUNDARY
- ADJOINING LOT LINE
- TAX LOT LINE TO BE ELIMINATED
- 1/4, 1/2 SECTION LINE
- EASEMENT (AS NOTED)
- WATER TANK & DRAINAGE ESMTS.
- UP — CENTERLINE 10' POWER LINE ESMT.
- W — CENTERLINE 20' WATER DISTRIBUTION & ACCESS ESMT.
- RA — RED AVALANCHE AREA
- BA — BLUE AVALANCHE AREA
- FP — FLOODPLAIN BOUNDARY (SEE NOTE 4)
- FW — FLOODWAY BOUNDARY (SEE NOTE 4)
- HILLSIDE OVERLAY DISTRICT (15% SLOPE)
- BRASS CAP
- ALUMINUM CAP
- FOUND 5/8" REBAR
- SET 5/8" REBAR
- (15) BLOCK NUMBER
- ROAD DEDICATION - PHASE 1

NOTE: THE DEDICATION OF ROADS SHALL OCCUR WITH THE RESUBDIVISION OF THE INDIVIDUAL BLOCKS.



N E S W

0' 300' 600' 900'

ROAD INDEX

NAME	ROW WIDTH
QUIGLEY ROAD	70'
FOX ACRES ROAD	70'
QUIGLEY FARM ROAD	VARIES AS NOTED
WINTER WHEAT WAY	60'
APPALOOSA ROAD	60'
COTTONTAIL WAY	60'
RED TAIL LANE	60'
RABBITBRUSH ROAD	60'
KESTRAL STREET	60'
WHITEBARK ROAD	60'
HUCKLEBERRY TRAIL (PRIVATE)	40'

LINE TABLE

LINE NO	LENGTH	BEARING
L1	181.88'	N54°17'50"W

CURVE TABLE

CURVE NO	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD
C1	118.62'	190.00'	35°46'13"	N72°10'56"W	116.70'

DRAFT

QUIGLEY FARM LARGE BLOCK PLAT

LOCATED WITHIN: T2N, R18E, SECTIONS 3, 10, & 11
CITY OF HAILEY, BLAINE COUNTY, IDAHO

PREPARED FOR: HENNESSY COMPANY

PROJECT NO. 18061	DWG BY: LLJ/CPL	FILE: 18061SHEET2 LLJ
FINAL PLAT	DATE: JULY 2018	SHEET: 2 OF 10