

RECEIVED

DEC 30 2020

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

DE✓

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?
78-4142	Yes ☐	Yes ☐		Yes ☐	Yes ☐
78-4143	Yes ☐	Yes ☐		Yes ☐	Yes ☐
78-7286	Yes ☐	Yes ☐		Yes ☐	Yes ☐
78-7368	Yes ☐	Yes ☐		Yes ☐	Yes ☐
78-10008	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: USDA Forest Service, Brundage Mountain Corp.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Brundage Mountain Resort, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 1062 McCall ID 83638
Mailing address City State ZIP
208 870 5371 bob@brundage.com
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: 10/28/2020
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):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o 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: [Signature] President & CEO BMR 12-15-2020
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 Ku Date 12-30-2020 Receipt No. C109749 Receipt Amt. \$125-

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 dh Date 2/23/2021

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

Instrument # 136347

COUNCIL, ADAMS, IDAHO
10-30-2020 10:05:01 AM No. of Pages: 3
Recorded for: FIRST AMERICAN TITLE AND ESCROW COMPANY
SHERRY WARD Fee: \$15.00
Ex-Officio Recorder Adam's County: *Amir Singh*
Indexed to: DEED

Recording Requested By and
When Recorded Return to:

T. Hethe Clark
CLARK WARDLE LLP
251 E. FRONT STREET, SUITE 310
Boise, Idaho 83702

3557485a - TD/mc

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GRANT DEED

FOR VALUE RECEIVED, BRUNDAGE MOUNTAIN COMPANY, an Idaho corporation, hereinafter called the Grantor, hereby bargains, sells, and conveys unto BRUNDAGE MOUNTAIN RESORT LLC, an Idaho limited liability company, hereinafter called the Grantee, whose address is 3890 Goose Lake Road, McCall, Idaho 83638, as of this 30th day of October 2020.

WITNESSETH:

For valuable consideration the Grantor does hereby grant, bargain, sell and convey unto the Grantee that certain real property located in the County of Adams, State of Idaho, which is more particularly described on **EXHIBIT A** attached hereto and incorporated herein by reference ("**Property**"):

TOGETHER WITH all and singular the buildings, structures, improvements, tenements, hereditaments, easements, appurtenances and water and ditch rights thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD said Premises unto the Grantee and its successors and assigns forever.

SUBJECT TO all matters of record or which would be disclosed by an accurate survey or visible inspection.

IN WITNESS WHEREOF, this Grant Deed has been duly executed by the Grantor as of the day and year herein first above written.

GRANTOR:

BRUNDAGE MOUNTAIN COMPANY,
an Idaho corporation

Michael DeBoer

By: Michael DeBoer
Its: Director

STATE OF IDAHO

County of

Valley

) ss.
)

On this 28th day of October, 2020, before me, the undersigned a Notary Public in and for said State, personally appeared Michael DeBoer, known or identified to me to be a Director of Brundage Mountain Company, the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation and acknowledged to me that such corporation 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.



[Signature]
Notary Public for Idaho

Residing at

McCall, ID

My commission expires

7/5/2025

EXHIBIT A TO GRANT DEED
Legal Description of Property

A parcel of land situate in Sections 1 and 12, Township 19 North, Range 2 East, Boise Meridian, Adams County, Idaho, more particularly described as follows:

Commencing at an aluminum cap marking the southeast corner of Section 12, T19NR2EBM, Adams County, Idaho;
Thence N 50° 54'19" W., 3,137.11 feet to an aluminum cap marked AP9, as shown on the particularly Record of Survey on file in the office of the Recorder of Adams County, Idaho, as Instr. No. 114481, THE REAL POINT OF BEGINNING;
Thence S 32° 40'26" W., 225.00 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 47° 28'30" W., 171.77 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 20° 03'11" E, 351.42 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 22° 24'14" W., 196.62 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 81° 35'46" W., 297.69 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence S 20° 14'26" W., 265.51 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence S 88° 40'24" W., 189.64 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 03° 51'09" W., 211.75 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 27° 25'49" W., 140.18 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 24° 26'59" E., 322.84 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 00° 42'35" E., 132.14 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 32° 40'02" W., 170.66 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 21° 24'31" W., 146.80 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 11° 16'10" E., 106.87 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 31° 16'08" E., 489.13 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 47° 57'21" E., 109.49 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 33° 44'36" E., 138.92 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 29° 12'47" E., 490.58 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 40° 02'38" E., 152.27 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 19° 56'13" E., 403.15 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 44° 53'43" E., 321.34 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence S 62° 12'08" E., 404.53 feet to a 5/8 inch by 30 inch rebar with a plastic cap;

Thence N 33° 39'27" E., 412.12 feet to an aluminum cap marked AP14 as shown on Record of Survey Instr. No. 114481;
Thence S 21° 16'08" E., 987.93 feet to an aluminum cap marked AP13 as shown on Record of Survey Instr. No. 114481;
Thence S 64° 16'41" W., 671.93 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence N 59° 08'18" W., 289.54 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence S 59° 05'57" W., 483.95 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence S 46° 43'08" W., 237.55 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence S 01° 42'35" E., 829.53 feet to a 5/8 inch by 30 inch rebar with a plastic cap;
Thence S 46° 14'36" E., 149.91 feet to an aluminum cap marked AP11 as shown on Record of Survey Instr. No. 114481;
Thence S 20° 07'49" E., 650.32 feet to an aluminum cap marked AP10 as shown on Record of Survey Instr. No. 114481;
Thence S 25° 09'23" W., 297.85 feet to THE POINT OF BEGINNING



0003996896

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$100.00

*For Office Use Only***-FILED-**

File #: 0003996896

Date Filed: 9/4/2020 12:55:09 PM

Certificate of Organization Limited Liability Company

Select one: Standard, Expedited or Same Day Service (see descriptions below)

Standard (filing fee \$100)

1. Limited Liability Company Name

Type of Limited Liability Company

Limited Liability Company

Entity name

Brundage Mountain Resort LLC

2. The complete street address of the principal office is:

Principal Office Address

3890 GOOSE LAKE ROAD
MCCALL, ID 83638

3. The mailing address of the principal office is:

Mailing Address

PO BOX 1062
MCCALL, ID 83638-1062

4. Registered Agent Name and Address

Registered Agent

Registered Agent

Robert Looper

Physical Address:

4843 N SETTLERS RIDGE PLACE
BOISE, ID 83703

Mailing Address:

PO BOX 1062
MCCALL, ID 83638-1062☒ I affirm that the registered agent appointed has consented to serve as registered agent for this entity.

5. Governors

Name	Address
Brundage Mountain Holdings LLC	PO BOX 1062 MCCALL, ID 83638

Signature of Organizer:

Robert Looper

Sign Here

09/04/2020

Date

B0537-6425 09/04/2020 12:56 PM Received by ID Secretary of State Lawrence Denney



IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to call ahead for an appointment.

WATER RIGHT REPORT

11/11/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 78-4142

<u>Owner Type</u>	<u>Name and Address</u>
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Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE, ID 83724 2083657055
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Priority Date: 11/23/1961

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
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NORTH BRUNDAGE SPRING	THORN CREEK
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<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

NORTH BRUNDAGE SPRING | SWSE | Sec. 01 | Township 19N | Range 02E | ADAMS County

Place(s) of use:

Place of Use Legal Description: DOMESTIC ADAMS 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>
19N	02E	12		NWNE										

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. Domestic use is at Brundage Mountain Ski Area.
3. FOREST SERVICE RECORD ID = 0412 17060210 37 0401
4. E51 Right Nos. 78-4142, 78-4143 and 78-10008 are limited to a total combined diversion rate of 0.04 cfs.

Dates:

Licensed Date:

Decreed Date: 11/06/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 0.04

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right

78-4142

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 11/11/2020



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters





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WATER RIGHT REPORT

11/11/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 78-4143

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE, ID 83724 2083657055

Priority Date: 11/23/1961

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH BRUNDAGE SPRING	THORN CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.02 CFS	
Total Diversion			0.02 CFS	

Location of Point(s) of Diversion:

SOUTH BRUNDAGE SPRING | NWNE | Sec. 12 | Township 19N | Range 02E | ADAMS County

Place(s) of use:

Place of Use Legal Description: DOMESTIC ADAMS 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>
19N	02E	12		NWNE										

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. Domestic use is at the Brundage Mountain Ski Area.
3. FOREST SERVICE RECORD ID = 0412 17060210 37 0402
4. E51 Right Nos. 78-4142, 78-4143 and 78-10008 are limited to a total combined diversion rate of 0.04 cfs.

Dates:

Licensed Date:

Decreed Date: 11/06/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 0.04

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right

78-4143

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created 11/11/2020



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters





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WATER RIGHT REPORT

11/11/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 78-7286

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	UNITED STATES OF AMERICA ACTING THROUGH USDA FOREST SERVICE 550 W FORT ST MSC 033 BOISE, ID 83724 2083657055

Priority Date: 04/18/1988

Basis: Decreed

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>
COMMERCIAL	01/01	12/31	0.03 CFS	2.6 AFA
DOMESTIC	01/01	12/31	0.03 CFS	0.6 AFA
Total Diversion			0.03 CFS	2.6 AFA

Location of Point(s) of Diversion:

GROUND WATER | NWNE | Sec. 12 | Township 19N | Range 02E | ADAMS County

DOMESTIC Use:

Number of homes: 1

Place(s) of use:

Place of Use Legal Description: COMMERCIAL ADAMS 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>
19N	02E	12		NWNE										

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. FOREST SERVICE RECORD ID = 0412 17060210 37 0407
3. Commercial and domestic use is at the Brundage Mountain Ski Area.

Dates:

Licensed Date:

Decreed Date: 11/06/2007

Permit Proof Due Date: 7/1/1989

Permit Proof Made Date: 12/14/1988

Permit Approved Date: 6/28/1988

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 04/18/1988

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 0.12

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right

78-7286

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters





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WATER RIGHT REPORT

11/11/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 78-7368

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRUNDAGE MOUNTAIN CORP PO BOX 1062 MC CALL, ID 83638 2086344151
Original Owner	US DEPT OF AGRICULTURE FOREST SERVICE PAYETTE NATIONAL FOREST 500 N MISSION ST BLDG 2 MC CALL, ID 83638-3805 2086340795

Priority Date: 01/01/1995

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>
COMMERCIAL	01/01	12/31	0.12 CFS	12 AFA
Total Diversion			0.12 CFS	12 AFA

Location of Point(s) of Diversion:

GROUND WATER | NWNE | Sec. 12 | Township 19N | Range 02E | ADAMS County

COMMERCIAL Use:

Number of other uses: lodge, child center, shop

Place(s) of use:

Place of Use Legal Description: COMMERCIAL ADAMS 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>
19N	02E	12		NWNE										

Conditions of Approval:

1. Commercial use is for a lodge, a children's center and an adjacent maintenance shop at Brundage Mountain Ski Area.
2. F06 The following rights are diverted through point of diversion described above: 78-7286 & 78-7368.
3. X35 Rights 78-7286 and 78-7368 when combined shall not exceed a total diversion rate of 0.12 cfs.

Dates:

Licensed Date: 11/14/2013

Decreed Date:

Permit Proof Due Date: 1/1/1998

Permit Proof Made Date: 2/11/1998

Permit Approved Date: 1/2/1996

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 11/21/1994

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 0.12

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right

78-7368

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 10/11/2020



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters





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WATER RIGHT REPORT

11/11/2020

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 78-10008

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRUNDAGE MOUNTAIN CORP PO BOX 1062 MC CALL, ID 83638 2086344151

Priority Date: 11/23/1961

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH BRUNDAGE SPRING	THORN CREEK
SOUTH BRUNDAGE SPRING	THORN CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	0.04 CFS	
DOMESTIC	01/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

NORTH BRUNDAGE SPRING	SWSE	Sec. 01	Township 19N	Range 02E	ADAMS County
SOUTH BRUNDAGE SPRING	NWNE	Sec. 12	Township 19N	Range 02E	ADAMS County

DOMESTIC Use:

Number of homes: 1

Place(s) of use:

Place of Use Legal Description: COMMERCIAL ADAMS 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>
19N	02E	12		NWNE										

Place of Use Legal Description: DOMESTIC ADAMS 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>
19N	02E	12		NWNE										

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. Commercial and domestic use is at the Brundage Mountain Ski Area.
3. This right was renumbered from former right 78-4270.
4. E51 Right Nos. 78-4142, 78-4143 and 78-10008 are limited to a total combined diversion rate of 0.04 cfs.

Dates:

Licensed Date:

Decreed Date: 11/06/2007

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: TBD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Combined Acres Limit:

Combined Volume Limit:

Combined Rate Limit: 0.04

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Right

COMMERCIAL

Map center is in T19N R02E

The USDA-PCA Aerial Photography Field office asks to be credited in derived products.



Date of birth: 1973



Legend

-  Point of Diversion
-  Place of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters



Idaho Department of Water Resources Receipt

Receipt ID: C109749

Payment Amount	\$125.00	Date Received	12/30/2020	Region	STATE
Payment Type	Check	Check Number	5071		
Payer	BRUNDAGE MOUNTAIN RESORT LLC				
Comments	CHANGE OF OWNERSHIP FOR WR # 78-4142; 78-4143; 78-7286; 78-7368; 78-10008 FOR: BRUNDAGEW MOUNTAIN RESORT, LLC				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$125.00	OWNERSHIP CHANGES/SECURITY INTERESTS	56140	0229	21		1155

Ku

Signature Line (Department Representative)



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

Gary Spackman
Director

February 24, 2021

BRUNDAGE MOUNTAIN RESORT LLC
PO BOX 1062
MCCALL ID 83638-1062

Re: Change in Ownership for Water Right Nos: 78-7368 and 78-10008

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. The Department has modified its records and has enclosed a computer-generated report for you. Water rights 78-4142, 78-4143, and 78-7286 have not been updated. A letter was sent to you on January 20, 2021 requesting chain of title from the USDA Forest Service to you for those water rights. There has been no response to that request, therefore a refund of \$75 has been requested and will arrive under separate cover from the Idaho State Controller's Office.

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,

A handwritten signature in blue ink, appearing to read 'Debbi Judd'.

Debbi Judd
Technical Records Specialist

Enclosures

c. Water District 78C – *via email*

From: Judd, Debbi
To: [IdwrPayable](#)
Subject: Refund request
Date: Tuesday, February 23, 2021 10:30:00 AM

TO: Sascha Marston
FROM: Debbi Judd
DATE: February 23, 2021
RE: **Refund: Ownership change**

Please refund \$75. Ownership change for three water rights was not processed.

NAME: BRUNDAGE MOUNTAIN RESORT LLC

ADDRESS: PO BOX 1062
MC CALL ID 83638

RECEIPT #: C109749

-
Thank you.

Debbi

Debbi Judd
Technical Records Specialist
debbi.judd@idwr.idaho.gov

Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise, ID 83720-0098
208-287-4920
www.idwr.idaho.gov